

## Law of Georgia

### on Making Amendments to the Law of Georgia on Tobacco Control

**Article 1.** The following change shall be made to the Law of Georgia on Tobacco Control (Georgian Legislative Herald №76, 29.12.2010, Article 500):

1. In Article 3:

a) After sub-paragraph "a.f" the following shall be added:

a.a) Sub-paragraph "a.g":

a.g) New tobacco product - product containing tobacco but not included in any other category of tobacco products as defined under sub-paragraph "a" of this Article;”;

a.b) Sub-paragraph "a.h":

a.h) Raw tobacco products, tobacco leftovers;”;

“a.c) Sub-paragraph "a.i":

a.i) Heating tobacco - tobacco product (except for electronic cigarettes or other similar material/cartridge/capsule containing nicotine) designed to be used only by heating;”;

b) Sub-paragraph "d" shall be provided as follows:

“d) Smoking tobacco - inhaling primary smoke or aerosol released as a result of tobacco burning or heating;”;

c) After sub-paragraph "v", sub-paragraph "w" shall be added with the following text:

“w) Electronic cigarette - product that can be used with an oral device, using aerosol with nicotine or any component of this product including cartridge and tank or a device without a cartridge or tank. Electronic cigarette can be single use or multiple use (the one refilled with a container and tank or a single use chargeable with a cartridge).”.

2. In Article 4:

a) in Paragraph 2:

a.a) Sub-paragraph "a" shall be provided as follows:

“a) Threshold limits of emitted substances (nicotine, tar, choking gas) from filtered or unfiltered cigarettes (except for heated tobacco) sold in Georgia, rules for measuring and regulating their concentration, considering international requirements in the field of tobacco control;”;

a.b) Sub-paragraph "a<sup>1</sup>" shall be added after sub-paragraph "a" with the following text:

“a<sup>1</sup>) The volume of the material/cartridge/container containing nicotine and of the electronic cigarette or any similar device designated for sale in Georgia, threshold concentrations of nicotine in them, considering the international requirements in the field of tobacco control;”;

b) Paragraph 3 shall be provided as follows:

“3. The substances (nicotine, tar, choking gas) emitted from filtered or unfiltered cigarettes shall be measured by the manufacturer and/or importer of the given tobacco product at their own cost. Manufacturer and/or importer of the given tobacco products must be able to demonstrate that the measurements have been made according to the standards and within at least 3 months prior to placing filtered or unfiltered cigarettes in the Georgian market and submit documentation confirming the measurement of substances emitted from filtered or unfiltered cigarettes according to standards. The list of these documents shall be established by the Ministry of Internally Displaced Persons from the Occupied Territories, Labor, Health and Social Affairs of Georgia. Tobacco manufacturer and/or importer shall ensure compliance of tobacco products with the criteria indicated in these documents. Manufacturer and/or importer of filtered and unfiltered cigarettes must re-submit updated documentation in case the quantity of emitted substances or any other parameters have changed. In case of such changes, the updated documentation shall be submitted no later than within 3 months prior to placing filtered and unfiltered cigarettes in the Georgian market. Additionally, manufacturer and/or importer of tobacco products, no later than 3 months prior to placing tobacco products in the Georgian market, must submit the information about tobacco product ingredients (in particular, list of ingredients, quantity and weight) to the Ministry. Manufacturer and/or importer of tobacco products must re-submit updated information in case the ingredients or any other parameters have changed. In case of such changes, the updated information shall be submitted no later than 3 months prior to placing the tobacco products in the Georgian market.”:

“c) Paragraph 3<sup>1</sup> shall be added after Paragraph 3 with the following text:

“3<sup>1</sup>. Manufacturer and/or importer of heated tobacco or a new tobacco product must notify the Ministry about the products they are planning to bring into Georgian market. The notification must be sent to the Ministry in a way required by the Ministry 3 months prior to placing the goods in the Georgian market. The notification shall be accompanied by a detailed description of these goods and instructions for use as well as information about the ingredients of these tobacco products and emitted substances.”.

3. Paragraph 2<sup>1</sup> shall be added to Article 5 with the following text:

“2<sup>1</sup>. Supply of tobacco products (except for liquid tobacco products) under sub-paragraph "a.c" of Article 3; or paragraph "a.d" or "a.h" of the same Article is permitted only if it is packaged in 50 or 100 gram packages, except for the cases provided for under the order of the Minister of Finance of Georgia for raw tobacco to be used in manufacturing tobacco products.”.

4. In Article 6:

a) Paragraph 2 shall be provided as follows:

“2. Each box/block and packaging of tobacco products (except for tobacco products provided for in sub-paragraphs "a.f", "a.g" and "a.i" of Article 3 of the same law) must bear a medical warning approved under Georgian law. This medical warning shall include a main medical warning, additional medical warning (including images approved under Georgian legislation, and in case of tobacco products provided for in sub-paragraphs "a.e" of Article 3 of the same Law - with a corresponding text) as well as contact number.”;

b) Paragraph 2<sup>2</sup> shall be added after paragraph 2<sup>1</sup> with the following text:

“2<sup>2</sup>. Each packaging of tobacco products provided for in sub-paragraphs "a.g" and "a.i" shall have a medical warning and a corresponding pictograph approved under Georgian legislation.”.

c) Paragraphs 3 and 4 shall be provided as follows:

“3. Georgian Government shall approve 3 samples of medical warnings, 9 samples of additional medical warnings with corresponding 9 pictographs, 1 text sample, corresponding information sheet forms; for tobacco products provided for in sub-paragraphs "a.g" and "a.i" of Article 3 of this law - 2 samples of a medical warning and 2 samples of a corresponding pictograph, contact phone number, computer fonts and font size of a medical warning text as well as the parameters for complying with the pictograph quality.

4. Pictograph samples must correspond and contain additional medical warning text; for tobacco products provided for in sub-paragraphs "a.g" and "a.i" of Article 3 of this law - medical warning text must take up the space approved for a medical warning by Georgian Government.”;

d) Sub-paragraph "a" of paragraph 5 shall be provided as follows:

“a) Manufacturer and/or importer of the tobacco products must utilize all main medical warnings during the year; for tobacco products provided for in sub-paragraphs "a.g" and "a.i" of Article 3 of this law - all medical warnings must be followed in a way that they evenly spread out over the box/block of each type of tobacco product designated for sale;”;

e) In paragraph 6:

e.a) Sub-paragraph "b" shall be provided as follows:

“b) The printed text on the packaging of tobacco products (except for a transparent packaging) (in case of a cigar, cigarillo, chewing tobacco, sucking tobacco, liquid tobacco, as well as more than 50 kg raw tobacco, it is permitted to apply a medical warning sticker instead of a printed package) must not be covered, distorted or altered; and must not get damaged after opening or come off;”;

e.b) Sub-paragraph "e" shall be provided as follows;

“e) Placed: additional medical warning - on the front of the box; main medical warning - on the back of the box; for tobacco products provided for in sub-paragraphs "a.g" and "a.i" of Article 3 of this law - on the front and back of the package.”.

5. Paragraph 5 shall be added to Article 12<sup>1</sup> with the following text:

“5. Until the January 1, 2022, a medical warning on each package of new tobacco products as per sub-paragraph "a.g" of Article 3 of this law and heating tobacco as per sub-paragraph "a.i" of the same Article, may be placed without a corresponding pictograph. For heating tobacco as per sub-paragraph "a.i" of Article 3 of the same law, medical warning does not have to cover less than 30% of the whole side of the box which includes the bracket lines.”.

**Article 2.** Within 2 months after the effective date of this law:

a) Georgian government, in response to the motion by the Ministry of Internally Displaced Persons from the Occupied Territories, Labor, Health and Social Affairs of Georgia:

a.a) Shall adopt regulations with regard to the items outlined in sub-paragraph "a<sup>1</sup>" of paragraph 2 of Article 4 of Georgian Law on Tobacco Control in accordance with sub-paragraph "a.b" of paragraph 2 of Article 1 of this law;

a.b) Approve 2 templates of medical warnings for new tobacco products and heated tobacco designed according to paragraph 3 of Article 6 of the Law of Georgia on Tobacco Control as per sub-paragraph "c" of paragraph 4 of Article 1 of this law;

b) Minister of Finances of Georgia shall ensure compliance of this regulation with the law;

c) As per sub-paragraph "c" of paragraph 2 of Article 1 of this law, the Ministry of Internally Displaced Persons from the Occupied Territories, Labor, Health and Social Affairs of Georgia, as per paragraph 3<sup>1</sup> or Article 4 of the Law of Georgia on Tobacco Control, shall develop a system through which the manufacturer and/or importer of heating tobacco or new tobacco products will be able to notify the Ministry of Internally Displaced Persons from the Occupied Territories, Labor, Health and Social Affairs of Georgia about these products.

### **Article 3**

1. This law, except for sub-paragraph "a.b" of paragraph 1 and paragraph 3 of Article 1, shall become effective from the date it was published.

1. Sub-paragraph "a.b" of paragraph 1 and paragraph 3 of Article 1 shall become effective on 30th day after the date it was published.

President of Georgia

Salome Zurabishvili

**Tbilisi,**

**16 October 2019**

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